



Order Filed on March 25, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

PARKER McCAY P.A.

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Attorney for First Guaranty Mortgage Corporation

In Re:

Peter F. DeFelice

Brooke L. DeFelice

CASE NO. 17-25333-CMG

Chapter: 13

Hearing: March 17, 2021

Judge: Christine M. Gravelle

**ORDER RESOLVING FIRST GUARANTY MORTGAGE CORPORATION'S
MOTION FOR RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: March 25, 2021

A handwritten signature in cursive script, reading "Christine M. Gravelle", written in black ink.

Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Peter F. DeFelice and Brooke L. DeFelice

Case No: 17-25333-CMG

Caption of Order: Order Resolving First Guaranty Mortgage Corporation's Motion for Relief from Stay

Upon consideration of First Guaranty Mortgage Corporation, its successors and/or assigns, (hereinafter "Movant") application for an order, pursuant to section 362(d) of the Bankruptcy Code, for relief from the automatic stay as to certain real property as hereinafter set forth, and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for cause shown, it is hereby;

ORDERED as follows:

1. Since the filing of the motion, the Debtors made a payment to Movant in the amount of \$4,000.00 on or about January 26, 2021.
2. Since the filing of the motion, the Debtors made an additional payment to Movant in the amount of \$25,000.00 on or about February 11, 2021.
3. As of March 8, 2021, the post-petition arrears was reduced to \$28,268.65 and the Debtors were due for the regular monthly payments each due January 1, 2020 through and including the March 1, 2021 post-petition payment.
4. On or about March 15, 2021, the Debtors made a payment to Movant in the amount of \$21,000.00. If said funds clear the check negotiation process, it would reduce the post-petition arrears to \$7,268.65.
5. If said \$21,000.00 payment does not clear the check negotiation process (c/k/a "bounced check," NSF, etc), then Movant may immediately certify default with the court, and not subject to the 30-day waiting period.
6. The Debtors shall cure said remaining post-petition arrears of \$7,268.65 by March 31, 2021.
7. The Debtors shall bring the account current, post-petition by March 31, 2021.

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Debtor: Peter F. DeFelice and Brooke L. DeFelice

Case No: 17-25333-CMG

Caption of Order: Order Resolving First Guaranty Mortgage Corporation's Motion for Relief from Stay

8. Commencing with the April 1, 2021 regular monthly post-petition mortgage payment and continuing each month thereafter for the duration of this Chapter 13 proceeding, Debtors shall remit payments directly to Movant as same come due.

9. Debtors shall reimburse Movant through their Chapter 13 Plan of Reorganization, as an administrative claim, the sum of \$1,038.00 for attorney's fees and costs incurred by Movant in the prosecution of its application for relief from stay.

10. **Thirty-Day Default Clause:** If the Debtors should default and fail to make the payments stated herein or any future payments that come due during the pendency of this case to Movant for more than (30) days from the due date, then upon Certification of Default of said payments in accordance herewith submitted by secured creditor's counsel, and under the timeframe providing for any opposition filed under LBR 4001-1(b)(2), the Court shall enter a General Relief Order, vacating the automatic stay of 11 *U.S.C.* §362(a) with respect to the realty commonly known as 17 Nottingham Way, Eastampton, NJ 08060.

In re:
Peter F. DeFelice
Brooke L. DeFelice
Debtors

Case No. 17-25333-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Mar 25, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 27, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Peter F. DeFelice, Brooke L. DeFelice, 17 Nottingham Way, Eastampton, NJ 08060-3276

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 27, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 25, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Brian E Caine	on behalf of Creditor First Guaranty Mortgage Corporation bcaine@parkermccay.com BKcourtnotices@parkermccay.com
Joseph J. Rogers	on behalf of Joint Debtor Brooke L. DeFelice jjresq@comcast.net jjrogers0507@gmail.com
Joseph J. Rogers	on behalf of Debtor Peter F. DeFelice jjresq@comcast.net jjrogers0507@gmail.com
Justin Plean	

District/off: 0312-3

User: admin

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Date Rcvd: Mar 25, 2021

Form ID: pdf903

Total Noticed: 1

on behalf of Creditor First Guaranty Mortgage Corporation jplean@raslg.com bkyecf@rasflaw.com;ras@ecf.courtdrive.com

Kevin M. Buttery

on behalf of Creditor First Guaranty Mortgage Corporation bkyefile@rasflaw.com

Laura M. Egerman

on behalf of Creditor First Guaranty Mortgage Corporation bkyecf@rasflaw.com bkyecf@rasflaw.com;legerman@rasnj.com

Rebecca Ann Solarz

on behalf of Creditor First Guaranty Mortgage Corporation rsolarz@kmlawgroup.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10